

Serial No. 10/604,747

Remarks/Arguments

Claims 1-31 are pending in this application. Applicants have amended claim 1 herein. No additional fee is due at this time.

Applicants again note the allowance of claims 17-31. Applicants also note that a telephonic interview took place between the Examiner and the undersigned attorney on May 3, 2005 to discuss the language of claim 1. While no agreement was reached on whether claims 1-16 as amended herein would be allowable, the Examiner suggested that this amendment be submitted forthwith for her consideration. Applicants appreciate the Examiner's kind attention to this application and her willingness to move this application forward towards allowance.

The Examiner has requested that claims 32-38 be cancelled pursuant to a previous restriction requirement and election. These claims have been cancelled herein.

The Examiner has maintained the rejection of claims 1-12, 14, and 15 under 35 U.S.C. § 102(a, e) in view of U.S. Patent 6,617,647 to Yamazaki. The Examiner has also maintained the rejection of claims 13 and 16 under 35 U.S.C. § 103(a) in view of Yamazaki in combination with U.S. Patent 6,380,036 to Oda et al. The Examiner, in discussing the rejected claims, has further stated on pages 4 and 5 of the most recent office action that the deletion of "the terms *substantially* prior to 'fixed' and 'controlled' would patentably distinguish the claimed device from that of Yamazaki." Applicants have made the suggested deletions. In addition however, Applicants have replaced the terms "controlled placement" with the terms --atomic scale precision control-- in order to be more clear and specify the precise degree of positional control that is possible and can be applied usefully as taught by Applicants. As discussed in the telephonic interview, this recitation is supported in the specification at the beginning of paragraph [0051] (paragraph [0050] in the undersigned attorney's file copy) of the specification. Applicants respectfully submit that the claim 1 as amended still patentably distinguishes the claimed device from the device of Yamazaki and does not create the need for a new search and examination or any

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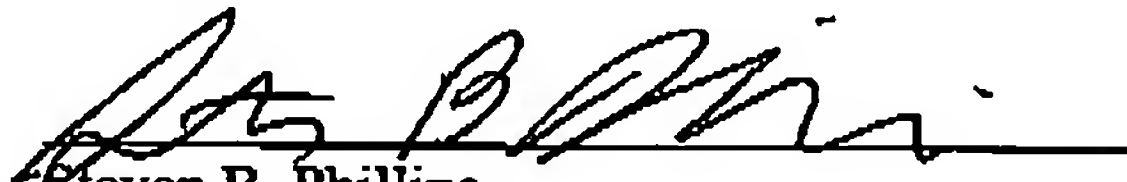
other substantial burden on the patent office, as the added language only makes explicit what was already implicit in Applicants' claims.

Applicants believe they have responded to all concerns raised by the Examiner. Reconsideration and allowance of this application as amended is hereby requested.

Respectfully submitted,

Date:

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